

AGENDA
CITY OF CHARLEVOIX CITY COUNCIL MEETING

Monday, March 16, 2015 - 7:00 p.m.

210 State Street, City Hall, Second Floor City Council Chambers, Charlevoix, Michigan

- I. Invocation or Pledge of Allegiance**
- II. Roll Call of Members Present**
- III. Inquiry Regarding Possible Conflicts of Interest**
- IV. Consent Agenda**
 - A. City Council Meeting Minutes - March 2, 2015 Regular Meeting PG 1-7
 - B. Accounts Payable Check Registers & Payroll Check Registers PG 8-19
- V. Public Hearings**
 - A. Public Hearing on an Ordinance to Amend Title V, Planning and Zoning Multiple Sections PG 20-25
- VI. Reports**
- VII. Requests, Petitions and Communications and Actions Thereon**
 - A. Presentation Regarding State Street Project and Lake to Lake Multi-Use Trail PG 26-28
 - B. Consideration to Accept New Hangar Lease Format - Existing Hangar PG 29-36
 - C. Consideration to Approve Island Airways Terminal Lease Renewal PG 37-45
 - D. Consideration to Approve Additional Expenditure from the Motor Pool PG 46
 - E. Mayoral Appointments PG 47
- VIII. Introduction and Initial Actions Relating to Ordinances or to Resolutions That Require Publication or Hearings Prior to Final or Further Action**
- IX. Resolutions**
- X. Ordinances**
 - A. Ordinance to Amend Title V, Planning and Zoning Multiple Sections PG 23-25
- XI. Miscellaneous Business**
- XII. Audience – Non-Agenda Input (written requests take precedent)**
- XIII. Adjourn**

The City of Charlevoix will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon one weeks notice to the City of Charlevoix. Individuals with disabilities requiring auxiliary aids or services should contact the City of Charlevoix Clerk's Office in writing or calling the following: City Clerk, 210 State Street, Charlevoix, MI 49720 (231) 547-3250

Posted March 12, 2015 4:00 pm

CITY OF CHARLEVOIX
REGULAR CITY COUNCIL MEETING MINUTES
Monday, March 2, 2015 – 7:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, MI

The meeting was called to order at 7.00 p.m. by Mayor Gabe Campbell.

I. Pledge of Allegiance

II. Roll Call of Members Present

Mayor: Gabe Campbell
City Manager: Robert Straebel
City Attorney: Scott Howard
City Clerk: Joyce Golding
Members Present: Councilmembers Shane Cole, Shirley Gibson, Leon Perron, Jeff Porter and Bill Supernaw
Absent: Luther Kurtz

III. Inquiry Regarding Possible Conflicts of Interest

None.

IV. Consent Agenda

The following items were approved and filed:

- A. Approval of Minutes – February 16, 2015 Regular Meeting Minutes
- B. Special Accounts Payable Check Register – February 19, 2015
- C. Regular Accounts Payable Check Register – March 3, 2015
- D. ACH Payments – February 17, 2015 – February 27, 2015
- E. Tax Disbursement – March 3, 2015
- F. Payroll Check Register – February 27, 2015
- G. Payroll Transmittal – February 27, 2015
- H. Downtown Development Authority Board Resignation – Todd Wyatt

V. Public Hearings

None.

VI. Reports

City Manager Straebel introduced and welcomed Annie Doyle, the City's new Community Economic Development Director.

VII. Requests, Petitions and Communications and Actions Thereon

A. Consideration to Accept New Hangar Lease Format – Existing Hangar

Current Charlevoix Municipal Airport north side hangar leases are all expired and the new hangar rate increase takes effect April 1, 2015. A new lease format has been drafted and approved by the City Manager and City Attorney.

Councilmember Gibson confirmed with Airport Manager Myer that there will be an agreement with Skydive Harbor Springs for the Charlevoix Airport and the agreement amount will be the standard commercial rate.

Mayor Campbell opened the item to public comment.

Chuck Scherping, Charlevoix Soaring Club, stated that the proposed changes to the lease agreement are unreasonable and cited several paragraphs that he objects to. Mr. Scherping asked Council to delay approval of the new lease for at least a month so the Charlevoix Soaring Club's attorney could review the lease. City Attorney Howard responded that the proposed lease is not out of the ordinary in comparison to other municipal airport hangar leases. He stated that policy decisions would be up to Council's discretion, for instance the City covering the cost of insurance versus the lessees covering the cost.

The item was closed to the public.

Motion by Councilmember Perron, second by Councilmember Supernaw, to table this item for two weeks to give Staff time to communicate with the Airport customers and get feedback from them.

Yeas: Perron, Gibson, Cole, Supernaw, Porter
Nays: None
Absent: Kurtz

B. Consideration to Approve Job Description – Airport Attendant

In an effort to streamline airport operations and to be more cost effective, Airport Manager Myer is proposing to merge the current office and ramp positions into an Airport Attendant position. The Airport Attendant will perform ramp and fueling activities, ground maintenance and work in the office on a rotational basis.

Mayor Campbell opened the item to public comment. There was no comment and the item was closed to the public.

Motion by Councilmember Gibson, second by Councilmember Cole, to approve the job description Airport Attendant in order to post the job vacancy opening under the new job title.

Yeas: Perron, Gibson, Cole, Supernaw, Porter
Nays: None
Absent: Kurtz

C. Festivals and City Event Costs

At the February 16th City Council meeting it was requested that the City Treasurer provide a detailed accounting of all community events in which the City had contributed monetarily or provided City services (such as trash removal, police, etc.).

Councilmember Porter recommended tracking expenses for the six major City events for one year. Council concurred. City expenditure results will be reviewed and discussed in the fall.

The accounting of employee wages and benefits was discussed.

Mayor Campbell opened the item to public comment.

Phil Parr, 1st Ward and business owner, felt that the City should keep supporting the major events, as they are a benefit to both the business owners and the City. He agreed that the event expenditures should be tracked.

The item was closed to the public.

D. Appointment to Downtown Development Authority (DDA)

With the resignation of Todd Wyatt from the DDA, the mayor is required to appoint a member to finish Mr. Wyatt's term, which expires April 2017. Five citizens expressed their desire to sit on the DDA board by submitting their applications.

Mayor Campbell opened the item to public comment. There was no comment and the item was closed to the public.

Motion by Councilmember Gibson, second by Councilmember Perron, to appoint John Kurtz to the Downtown Development Authority [term expiring April 2017].

Yeas: Perron, Gibson, Cole, Supernaw, Porter
Nays: None
Absent: Kurtz

E. Resolution for Application to FEMA, Staffing for Adequate Fire and Emergency Response (SAFER)

The Charlevoix City Emergency Medical Service Department is experiencing a shortage of trained personnel to equip the department. The shortage is mainly due to our neighboring EMS providers paying their personnel more than we offer. Therefore, some of the City's volunteers have sought employment in other communities.

The department is in need of additional paid on-call volunteers in order to provide immediate and professional services to the communities which we service. Chief Doan is submitting a grant application to FEMA, Staffing for Adequate Fire and Emergency Response (SAFER) asking for \$584,000 to assist with recruitment and retention of paid on-call Fire and EMS personnel.

City Manager Straebel stated that he and HR Assistant DeRosia are collaborating with Chief Doan to find a permanent solution to volunteer staffing issues.

Mayor Campbell opened the item to public comment. There was no comment and the item was closed to the public.

Action by Resolution.

F. Discussion Regarding the City Manager Recruitment Process

The City is currently recruiting for the City Manager position with all applications due by March 6. City Council stated their intention to review each application. The following process is Staff's recommendation for recruitment of the new manager:

1. Copy and distribute all applications to City Council the week of March 9th for City Council's review.

2. Using a yes/no/maybe rating system, City Council determines the top 5-10 semifinalists at the March 16 City Council meeting. Candidates requesting confidentiality will be discussed in closed session; all others will be discussed in open session.
3. Have semifinalists answer several questions in writing pertaining to local government management and return their responses the week of March 23rd.
4. Based upon qualifications and written responses, Council will select a number of candidates to interview.
5. HR Assistant will check references. Council may elect to call stakeholders or visit the candidate's community for a better grasp of the candidate's management style and accomplishments.
6. Department heads will tour the City with candidates.
7. Hold public interviews. Select the top candidate.
8. Negotiate a contract, salary and start date. City Council to approve the contract.

City Manager Straebel indicated that a discussion was held at the February 23rd department head meeting regarding the hiring process. Staff requested that three members have the opportunity to review the applicants and share their recommendations for semifinalists with Council. Staff agreed to have HR Assistant DeRosia, DPW Superintendent Elliott and Chief Doan as their representatives to determine Staff's selection for the semifinalists. City Manager Straebel felt that there was value in having Staff members give their feedback on the initial applications.

City Attorney Howard stated that applications can be reviewed in closed session if the applicant has requested confidentiality. He suggested that Staff confirm with the candidates whether they would like their application to remain confidential. Depending upon the applicant pool, Council could have a split discussion for confidential and non-confidential applicants. Once the semifinalists are determined, they should be announced and invited to the next step in the selection process in an open session. All interviews will occur in open session. City Attorney Howard reiterated that if Council is reviewing the applications, they need to abide by the OMA; if Staff is reviewing the applications, they do not.

Councilmember Porter suggested that selected Staff could interview the semifinalists the same day that Council does and compare notes with Council.

Councilmember Gibson stated that she did not want Staff interviewing and hiring their potential boss. She felt that there is a confidentiality issue and she has a problem with department heads looking at resumes and applications. Councilmember Gibson stated that "Council is perfectly capable of being their own hiring committee with the help of the HR Assistant."

Councilmember Gibson questioned Sherm Chamberlain, member of the hiring committee for City Manager Straebel, what the hiring process was at the time. Mr. Chamberlain believes that if department heads have any concerns, they should be filtered through the City Manager or the HR Assistant.

Greg Stevens, who also participated in City Manager Straebel's interview, suggested that names be redacted from the applications if the department heads were allowed to review the applications.

Councilmember Supernaw felt that it was a good idea to have Staff review the applications.

Councilmember Perron questioned whether Council should choose which department heads would screen the applicants. City Manager Straebel stated that Staff was comfortable with the three members chosen as their representation during the selection process.

Council came to a consensus to have the HR Assistant, DPW Superintendent and Police/Fire Chief review all applications with names redacted for confidentiality and make their recommendations.

G. Consideration of Supporting Funding for Graduate Medical Education and Obstetrical Funding

The State of Michigan is proposing budget cuts to rural hospitals access pool and the State's Graduate Medical Education Fund. The Governor's 2015-16 budget calls for the elimination of State funding for graduate medical education, financial support for small and rural hospitals, and obstetrical programs at rural hospitals. These budget cuts would have a negative impact on Charlevoix Area Hospital. A letter has been drafted asking Governor Snyder and our State representatives to not allow these budget cuts to take place. Mayor Campbell recommended that all Councilmembers send a letter of concern to the Capitol.

Mayor Campbell opened the item to public comment. There was no comment and the item was closed to the public.

Motion by Councilmember Cole, second by Councilmember Gibson, to authorize the attached letter [in the agenda packet] be sent to Governor Snyder and our State representatives and signed by the Mayor

Yeas: Perron, Gibson, Cole, Supernaw, Porter
Nays: None
Absent: Kurtz

VIII. Introduction and Initial Actions Relating to Ordinances or to Resolutions That Require Publication or Hearings Prior to Final or Further Action

A. Introduction of an Ordinance to Amend Title V, Planning and Zoning (multiple sections)

Zoning Ordinances are fluid documents that are constantly changing to reflect modifications to State laws, to correct programs or grey areas, or to ensure the language is better defined and a reflection of what the community wants. The Planning Commission has had two public hearings on these proposed changes and several other public meetings where public comment was heard.

Councilmember Gibson requested clarification regarding sandwich board signage. Councilmember Porter felt that allowing merchandise racks in front of businesses will make the downtown look like there are sidewalk sales six months out of the year. City Planner Spencer explained both items and recommended that Council take action once the public hearing is completed.

Mayor Campbell opened the item to public comment.

Kirby Dipert, downtown business owner, felt that good taste can't be regulated and he prefers to prohibit merchandise displays on downtown sidewalks.

Jodi Bingham, downtown business owner, agreed with Mr. Dipert and stated that nice window displays will encourage customers to shop in stores.

The item was closed to the public.

Motion by Councilmember Gibson, second by Councilmember Cole, to set a public hearing on multiple amendments to Title V, Planning and Zoning for March 16, 2015 at 7:00 p.m. in Council Chambers.

Yeas: Perron, Gibson, Cole, Supernaw, Porter
Nays: None
Absent: Kurtz

IX. Resolutions

A. Resolution for Application to FEMA, Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program

Motion by Councilmember Supernaw, second by Councilmember Gibson, to adopt Resolution 2015-03-01, Approval to Submit Application to FEMA Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program, as follows:

**CITY OF CHARLEVOIX
RESOLUTION NO. 2015-03-01
APPROVAL TO SUBMIT APPLICATION TO FEMA
STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT PROGRAM**

WHEREAS, the Staffing for Adequate Fire and Emergency Response (SAFER) grant program intends to improve or restore local fire departments' staffing and deployment capabilities so they may more effectively respond to emergencies, and

WHEREAS, with the enhanced or restored staffing, a SAFER grantee's response time will be reduced sufficiently and an appropriate number of trained personnel will be assembled at the incident scene; and

WHEREAS, the Charlevoix City Fire Department needs to be competitive for paid on-call staffing in order to maintain/increase the level of service to the communities that are served; and

WHEREAS, the Charlevoix City Fire Department, is registered and active in SAM.gov (Systems for Award Management), which is a federal government owned and operated free website that consolidates the capabilities in Central Contractor Registration, Online Representation & Certifications Application and Excluded Parties List System; and

WHEREAS, the Charlevoix City Fire Department is requesting funds in the amount of \$584,000 to assist with the recruitment and retention of paid on-call staff and to be financially competitive with surrounding communities; and

WHEREAS, the funds being requested will cover a four year time frame with 100% of salaries being distributed from the SAFER grant over the first two years and decrease to 50% and 25%, respectively, over the next two years.

NOW THEREFORE, BE IT RESOLVED, that the City of Charlevoix authorizes the submission of the SAFER Grant application to assist with the recruitment and retention of paid on-call volunteers and to be financially competitive with surrounding communities.

RESOLVED This 2nd day of March, A.D. 2015.

Yeas: Perron, Gibson, Cole, Supernaw, Porter

Nays: None

Absent: Kurtz

X. Ordinances

None.

XI. Miscellaneous Business

Councilmember Supernaw questioned whether the City has any influence on Charter Communications rate increases. City Attorney Howard stated that he will review the Charter Communications contract with the City Manager to make a determination.

Councilmember Porter suggested that the City continue to advertise that the Run Water Order is still in effect.

XII. Audience - Non-agenda input (written requests take precedent)

None.

XIII. Adjourn

The Mayor stated if there were no objections, the meeting would adjourn.

There were no objections. Meeting adjourned at 8:32 p.m.

Joyce M. Golding City Clerk Gabe Campbell Mayor

Special Accounts Payable 02/19/2015

AT&T	1,897.78	NEOFUNDS BY NEOPOST	1,000.00
AT&T MOBILITY	72.48	PRIORITY HEALTH	47,495.76
CHARLEVOIX STATE BANK	5,367.78	STATE OF MICHIGAN	100.00
DELTA DENTAL	4,687.05	VERIZON WIRELESS	56.72
GREAT LAKES ENERGY	206.21	VISION SERVICE PLAN	552.21
METLIFE SMALL BUSINESS CENTER	776.04	TOTAL	62,212.03

Accounts Payable - 03/03/2015

ACCESS LOCKSMITHING INC	535.00	DeROSIA, PATTY	41.00
AIRGAS USA LLC	206.52	DOAN, GERARD	41.00
ALTEC INDUSTRIES INC	2,144.41	ELLIOTT, PATRICK M.	41.00
AMERICAN WASTE INC.	65.00	ELLSWORTH FARMER'S EXCHANGE	1,088.36
B & L SOUND INC	16.99	EMERGENCY MEDICAL PRODUCTS INC	146.50
BRADFORD'S	19.50	EVANS, HAL	41.00
BULBS.COM	279.90	FREEDOM MAILING SERVICES INC.	2,295.36
CENTRAL DRUG STORE	45.88	FREIGHTLINER OF GRAND RAPIDS	158.18
CHARLEVOIX AREA HOSPITAL	1,004.90	GINOP SALES INC	167.74
CINTAS CORPORATION	83.62	GOLDING, JOYCE	41.00
CUMMINS BRIDGEWAY LLC	109.62	GREAT LAKES PIPE & SUPPLY	623.37
DCASSESSING SERVICES	4,371.08	HANKINS, SCOTT	41.00

HARDY DIAGNOSTICS	172.81	PERFORMANCE ENGINEERS INC	3,822.50
HEID, THOMAS J.	41.00	PETOSKEY NEWS-REVIEW	182.25
HOLIDAY COMPANIES	6,283.31	POWER LINE SUPPLY	4,541.66
INDEPENDENT DRAFTING SERVICES	1,152.00	PRESTON FEATHER	620.68
JACK DOHENY SUPPLIES INC	305.92	PRICE, BRENT	165.00
JEFFREYS, JAMES	8.08	PRO WEB MARKETING LLC	300.00
KEVIN'S METER TESTING	3,573.06	SPENCER, MICHAEL	41.00
KIRINOVIC, THOMAS	41.00	STANDARD ELECTRIC CO	91.70
KLOOSTER, ALIDA K.	41.00	STRAEBEL, ROBERT J.	41.00
KSS ENTERPRISES	206.12	STRYKER SALES CORPORATION	1,105.59
KUSINA, DENNIS	239.20	SWEM, DONALD L.	41.00
L & S TREE SERVICE	120.00	TEUNIS, STEVEN	41.00
LAKE CHARLEVOIX PAINTING	21.43	THIRD DAY FELLOWSHIP-OUTREACH	6,000.00
LAKESHORE TIRE & AUTO SERVICE	12.50	TRAVERSE CITY RECORD EAGLE	343.60
McGINN, KELLY	124.38	UP NORTH PROPERTY SERVICES LLC	553.00
MICHIGAN ASSN/CHIEFS OF POLICE	115.00	VILLAGE GRAPHICS INC.	56.00
MICHIGAN MUNICIPAL LEAGUE	13,297.00	WARNER, JANINE	49.05
MYER, ELIZABETH A.	41.00	WELLER, LINDA	41.00
NETSOURCE ONE INC.	180.00	WHITLEY, ANDREW	14.00
NORTHERN FIRE & SAFETY INC.	226.00	WORK & PLAY SHOP	133.40
NORTHERN SAFETY CO INC	236.32	WURST, RANDALL W.	270.86
OLSON BZDOK & HOWARD	1,874.00	WYMAN, MATTHEW A.	41.00
PARASTAR INC.	1,925.78	TOTAL	62,140.13

ACH Payments – 02/17/2015 – 02/27/2015

MI Public Power Agency	31,085.28	State of MI (Withholding Tax)	4,706.97
MI Public Power Agency	23,969.40	Vantagepoint (401 ICMA Plan)	742.62
MI Public Power Agency	251,788.70	Vantagepoint (457 ICMA Plan)	13,420.78
IRS (Payroll Tax Deposit)	32,611.26	MERS (Defined Benefit Plan)	26,045.79
Alerus Financial (HCSP)	370.00	TOTAL	384,740.80

Tax Disbursement – 03/03/2015

CHARLEVOIX COUNTY TREASURER	129,959.96	CHARLEVOIX PUBLIC SCHOOLS	207.46
CHARLEVOIX DISTRICT LIBRARY	48,473.43	CITY OF CHARLEVOIX - TAXES DUE	31,609.72
CHARLEVOIX PUBLIC SCHOOLS	2,938.79	RECREATIONAL AUTHORITY	8,789.93
CHARLEVOIX PUBLIC SCHOOLS	450.47		
CHARLEVOIX PUBLIC SCHOOLS	33.17	TOTAL	222,462.93

PAYROLL: NET PAY

Pay Period Ending 02/21/2015 – Paid 02/27/2015

WELLER, LINDA JO.	1,316.97	ZACHARIAS, STEVEN B.	1,789.23
STRAEBEL, ROBERT J.	2,277.92	NISWANDER, JOSEPH F.	1,627.59
GOLDING, JOYCE M.	1,048.92	FRYE, EDWARD J.	923.02
DEROSIA, PATRICIA E	864.26	JONES, TERRI L.	961.46
LOY, EVELYN R.	1,017.73	EATON, BRAD A.	1,628.60
KLOOSTER, ALIDA K.	1,433.31	WILSON, TIMOTHY J.	1,911.18
BROWN, STEPHANIE C.	1,023.65	LAVOIE, RICHARD L.	1,412.39
SPENCER, MICHAEL D.	1,298.13	STEVENS, BRANDON C.	1,687.62
SPENCLEY, PATRICIA L.	1,093.25	DRAVES, MARTIN J.	2,030.52
PANOFF, ZACHARY R.	621.31	ELLIOTT, PATRICK M.	1,743.91
MCGINN, KELLY A.	1,639.36	WELLS JR., DONALD E.	1,306.24
DOAN, GERARD P.	1,760.75	BRADLEY, KELLY R.	1,408.00
SHRIFT, PETER R.	1,243.76	WILSON, RICHARD J.	1,301.99
SCHLAPPI, JAMES L.	1,065.41	JONES, ROBERT F.	1,718.87
UMULIS, MATTHEW T.	1,359.30	DORAN, JUSTIN J.	1,303.56
HANKINS, SCOTT A.	1,491.60	KIRINOVIC, THOMAS F.	645.05
ORBAN, BARBARA K.	1,274.96	FORRESTER, KATHERINE A.	645.05
TRAEGER, JASON A.	1,180.26	AMSTUTZ, LINDA J.	55.41
WARNER, JANINE M.	989.33	MURPHY IV, MICHAEL J.	102.57
SCHWARTZFISHER, JOSEPH L.	1,392.89	BERTINELLI, DAVID P.	92.75
ROLOFF, ROBERT P.	2,600.60	ARNOLD, HAILEE M.	286.51
BRODIN, WILLIAM C.	1,145.64	BOSS, BEAU J.	315.39
RILEY, DENISE M.	373.14	BARNEVELD, VLADIMIR R.	158.43
TEUNIS, STEVEN L.	1,702.44	THOMPSON, MONTANA J.	238.00
WURST, RANDALL W.	1,462.11	FICHTNER, KRISTIE S.	120.05
MAYER, SHELLEY L.	1,258.68	HEID, THOMAS J.	1,276.56
HILLING, NICHOLAS A.	1,292.89	MYER, ELIZABETH A.	1,607.96
MEIER III, CHARLES A.	1,540.88	VANLOO, JOSEPH G.	733.50

TABER, HOLLY S.	339.37	WHITLEY, ANDREW T.	1,440.73
WYMAN, MATTHEW A.	946.43	MORRISON, KEVIN P.	1,340.65
DRAVES, MICHAEL J.	338.16	HODGE, MICHAEL J.	1,262.48
SCHRADER, LOU ANN	404.09	JOHNSON, STEVEN P.	1,509.50
SCHWAGER, EDWARD J.	650.12	BOSS JR, DALE E.	1,116.30
FUNKEY, KRAIG R.	166.23	STEBE JR, JOHN M.	317.34
RILEY, TIMOTHY C.	105.72	BOSS, SHERRY M.	290.45
RAMSEY, KYLE J.	79.13	BEHAN, DEAN T.	217.98
RILEY, CASEY W.	195.95	STEBE, CATHERINE M.	247.72
HUNTER, DESMOND J.	66.07	HOLM, ARTHUR R.	530.04
THORMAN, MIKAYLA R.	34.06	STEVENS, JEFFREY W.	632.68
JONES, LARRY M.	853.83	ROLOFF, AUDREY M.	1,343.75
OCHS, THOMAS F	27.70	MATTER, DAWSON K.	1,406.62
TRAVERS, MANUEL J.	241.36	SCOTT JR., WINFIELD	105.72
SILVA, JESSE L.	63.44	KITELEY, FISHER L.	26.42
COLLINS, CHAD M.	431.53	BERGMANN, DOUGLAS M.	105.72
RILEY, DANIEL A.	1,025.72	TOTAL:	85,702.85
WHITLEY, ADAM	369.85		
SWEM, DONALD L.	1,669.13		

PAYROLL: TRANSMITTAL
02/27/2015

4FRONT CREDIT UNION	198.46	CHEMICAL BANK	150.00
AMERICAN FAMILY LIFE	182.40	COMMUNICATION WORKERS OF AMER	540.44
AMERICAN FAMILY LIFE	236.11	MI STATE DISBURSEMENT UNIT	424.02
CHAR EM UNITED WAY	32.00	PRIORITY HEALTH	1,965.16
CHARLEVOIX STATE BANK	1,131.16	TOTAL:	4,859.75

Check Number	Payee	Amount
03/09/2015		
112562	DEVERE CONSTRUCTION COMPANY	307,305.12
Total 03/09/2015:		307,305.12
Grand Totals:		307,305.12

Summary of Check Registers & ACH Payments

FIRSTMERIT BANK - CHECKS ISSUED

03/09/15 Special Accounts Payable Run	\$	307,305.12
03/13/15 Payroll	\$	85,591.14
03/13/15 Payroll Transmittal Checks	\$	5,170.50
03/17/15 Regular Accounts Payable	\$	242,872.92
Checks Sub-Total:	\$	640,939.68

FIRSTMERIT BANK - ACH PAYMENTS

03/02/15 MI Public Power Agency	\$	25,725.92
03/06/15 Payment Service Network	\$	216.90
03/09/15 MI Public Power Agency	\$	29,143.62
03/13/15 IRS (Payroll Tax Deposit)	\$	32,265.07
03/13/15 Alerus Financial (HCSP)	\$	370.00
03/13/15 State of MI (Withholding Tax)	\$	4,535.46
03/13/15 Vantagepoint (401 ICMA Plan)	\$	742.62
03/13/15 Vantagepoint (457 ICMA Plan)	\$	13,618.72
ACH Sub-Total:	\$	106,618.31
First Merit Bank Total:	\$	747,557.99

CHARLEVOIX STATE BANK - CHECKS ISSUED

(PROPERTY TAX DISBURSEMENT TO VARIOUS TAXING AUTHORITIES)

03/17/15 Tax Disbursement	\$	491,913.91
Charlevoix State Bank Total:	\$	491,913.91
Grand Total:	\$	1,239,471.90

APPROVED:

RS
CITY MANAGER

dm
CITY TREASURER

ek
CITY CLERK

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
03/07/2015	PC	03/13/2015	18962	WELLER, LINDA JO	101		1,316.97
03/07/2015	PC	03/13/2015	18963	STRAEBEL, ROBERT J.	102		2,581.47
03/07/2015	PC	03/13/2015	18964	GOLDING, JOYCE M.	106		1,048.92
03/07/2015	PC	03/13/2015	18965	DEROSIA, PATRICIA E.	107		1,028.30
03/07/2015	PC	03/13/2015	18966	DOYLE, ANNE E.	108		749.56
03/07/2015	PC	03/13/2015	18967	LOY, EVELYN R.	117		1,017.73
03/07/2015	PC	03/13/2015	18968	KLOOSTER, ALIDA K.	121		1,661.37
03/07/2015	PC	03/13/2015	18969	BROWN, STEPHANIE C.	126		1,023.65
03/07/2015	PC	03/13/2015	18970	SPENCER, MICHAEL D.	132		1,526.21
03/07/2015	PC	03/13/2015	18971	SPENCLEY, PATRICIA L.	136		1,009.51
03/07/2015	PC	03/13/2015	18972	PANOFF, ZACHARY R.	141		573.79
03/07/2015	PC	03/13/2015	18973	MILLER, FAITH G.	142		17.20
03/07/2015	PC	03/13/2015	18974	MCGINN, KELLY A.	146		1,639.36
03/07/2015	PC	03/13/2015	18975	DOAN, GERARD P.	201		1,760.75
03/07/2015	PC	03/13/2015	18976	SHRIFT, PETER R.	203		1,070.84
03/07/2015	PC	03/13/2015	18977	SCHLAPPI, JAMES L.	204		923.90
03/07/2015	PC	03/13/2015	18978	UMULIS, MATTHEW T.	205		1,375.84
03/07/2015	PC	03/13/2015	18979	HANKINS, SCOTT A.	208		1,545.67
03/07/2015	PC	03/13/2015	18980	ORBAN, BARBARA K.	209		1,133.44
03/07/2015	PC	03/13/2015	18981	TRAEGER, JASON A.	210		1,290.68
03/07/2015	PC	03/13/2015	18982	WARNER, JANINE M.	213		1,217.39
03/07/2015	PC	03/13/2015	18983	SCHWARTZFISHER, JOS	303		1,064.52
03/07/2015	PC	03/13/2015	18984	ROLOFF, ROBERT P.	304		1,744.49
03/07/2015	PC	03/13/2015	18985	BRODIN, WILLIAM C.	305		956.51
03/07/2015	PC	03/13/2015	18986	RILEY, DENISE M.	306		384.90
03/07/2015	PC	03/13/2015	18987	TEUNIS, STEVEN L.	402		1,702.44
03/07/2015	PC	03/13/2015	18988	WURST, RANDALL W.	411		1,671.94
03/07/2015	PC	03/13/2015	18989	MAYER, SHELLEY L.	412		1,613.79
03/07/2015	PC	03/13/2015	18990	HILLING, NICHOLAS A.	413		1,795.89
03/07/2015	PC	03/13/2015	18991	MEIER III, CHARLES A.	421		1,873.64
03/07/2015	PC	03/13/2015	18992	ZACHARIAS, STEVEN B.	422		1,383.07
03/07/2015	PC	03/13/2015	18993	NISWANDER, JOSEPH F.	504		1,283.76
03/07/2015	PC	03/13/2015	18994	FRYE, EDWARD J.	508		923.02
03/07/2015	PC	03/13/2015	18995	JONES, TERRI L.	511		961.45
03/07/2015	PC	03/13/2015	18996	EATON, BRAD A.	515		2,242.78
03/07/2015	PC	03/13/2015	18997	WILSON, TIMOTHY J.	516		2,400.41
03/07/2015	PC	03/13/2015	18998	LAVOIE, RICHARD L.	519		1,451.77
03/07/2015	PC	03/13/2015	18999	STEVENS, BRANDON C.	521		3,276.47
03/07/2015	PC	03/13/2015	19000	DRAVES, MARTIN J.	523		1,621.51
03/07/2015	PC	03/13/2015	19001	ELLIOTT, PATRICK M.	600		1,743.91
03/07/2015	PC	03/13/2015	19002	WELLS JR., DONALD E.	609		2,790.09
03/07/2015	PC	03/13/2015	19003	BRADLEY, KELLY R.	614		2,738.91
03/07/2015	PC	03/13/2015	19004	WILSON, RICHARD J.	615		1,341.81
03/07/2015	PC	03/13/2015	19005	JONES, ROBERT F.	618		1,180.32
03/07/2015	PC	03/13/2015	19006	DORAN, JUSTIN J.	621		1,599.23
03/07/2015	PC	03/13/2015	19007	KIRINOVIC, THOMAS F.	700		645.05
03/07/2015	PC	03/13/2015	19008	FORRESTER, KATHERIN	704		595.35
03/07/2015	PC	03/13/2015	19009	AMSTUTZ, LINDA J.	706		124.67
03/07/2015	PC	03/13/2015	19010	MURPHY IV, MICHAEL J.	732		227.53
03/07/2015	PC	03/13/2015	19011	BERTINELLI, DAVID P.	764		870.74
03/07/2015	PC	03/13/2015	19012	ARNOLD, HAILEE M.	768		347.26
03/07/2015	PC	03/13/2015	19013	WITTHOEFT, MARVIN J.	769		92.35
03/07/2015	PC	03/13/2015	19014	BOSS, BEAU J.	788		369.08
03/07/2015	PC	03/13/2015	19015	BARNEVELD, VLADIMIR	789		193.43
03/07/2015	PC	03/13/2015	19016	THOMPSON, MONTANA J	790		199.80
03/07/2015	PC	03/13/2015	19017	FICHTNER, KRISTIE S.	792		221.64
03/07/2015	PC	03/13/2015	19018	HEID, THOMAS J	802		1,238.12

Pay Period Date	Journal Code	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
03/07/2015	PC	03/13/2015	19019	MYER, ELIZABETH A.	900		1,836.03
03/07/2015	PC	03/13/2015	19020	VANLOO, JOSEPH G.	902		601.70
03/07/2015	PC	03/13/2015	19021	TABER, HOLLY S.	924		138.49
03/07/2015	PC	03/13/2015	19022	WYMAN, MATTHEW A.	927		946.43
03/07/2015	PC	03/13/2015	19023	DRAVES, MICHAEL J.	928		409.61
03/07/2015	PC	03/13/2015	19024	SCHRADER, LOU ANN	929		477.91
03/07/2015	PC	03/13/2015	19025	SCHWAGER, EDWARD J.	930		542.34
03/07/2015	PC	03/13/2015	112563	SWEM, DONALD L.	512		1,669.13
03/07/2015	PC	03/13/2015	112564	WHITLEY, ANDREW T.	522		1,729.97
03/07/2015	PC	03/13/2015	112565	MORRISON, KEVIN P.	601		909.18
03/07/2015	PC	03/13/2015	112566	HODGE, MICHAEL J.	606		1,298.52
03/07/2015	PC	03/13/2015	112567	JOHNSON, STEVEN P.	617		1,053.43
03/07/2015	PC	03/13/2015	112568	BOSS JR, DALE E.	701		1,116.30
03/07/2015	PC	03/13/2015	112569	STEBE JR, JOHN M.	729		375.01
03/07/2015	PC	03/13/2015	112570	BOSS, SHERRY M.	730		458.75
03/07/2015	PC	03/13/2015	112571	BEHAN, DEAN T.	733		327.55
03/07/2015	PC	03/13/2015	112572	STEBE, CATHERINE M.	765		297.24
03/07/2015	PC	03/13/2015	112573	HOLM, ARTHUR R.	791		582.33
03/07/2015	PC	03/13/2015	112574	STEVENS, JEFFREY W.	1028		401.78
03/07/2015	PC	03/13/2015	112575	ROLOFF, AUDREY M.	1037		35.24
Grand Totals:			<u>77</u>				<u>85,591.14</u>

dm

Report Criteria:

Computed checks included
 Manual checks included
 Supplemental checks included
 Termination checks included
 Void checks included

Pay Period Date	Check Issue Date	Check Number	Payee	Emp ID	Description	Amount
03/07/2015	03/13/2015	112576	4FRONT CREDIT UNION	9024	HSA-EMPLOYEE CONTRIB-4FR	198.46
03/07/2015	03/13/2015	112577	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-POST	182.40
03/07/2015	03/13/2015	112577	AMERICAN FAMILY LIFE	9011	AMERICAN FAMILY LIFE-PRETA	236.11
03/07/2015	03/13/2015	112578	CHAR EM UNITED WAY	9009	UNITED WAY Pay Period: 3/7/20	32.00
03/07/2015	03/13/2015	112579	CHARLEVOIX STATE BA	9017	HSA - EMPLOYEE CONTRIB - C	1,071.16
03/07/2015	03/13/2015	112580	CHEMICAL BANK	9018	HSA - EMPLOYEE CONTRIB - C	150.00
03/07/2015	03/13/2015	112581	COMMUNICATION WORK	9004	CWA UNION DUES Pay Period:	540.44
03/07/2015	03/13/2015	112582	MI STATE DISBURSEME	9012	FRIEND OF THE COURT Pay P	424.02
03/07/2015	03/13/2015	112583	POLICE OFFICERS LABO	9003	POL UNION DUES Pay Period: 3	392.00
03/07/2015	03/13/2015	112584	PRIORITY HEALTH	392358	PRIORITY HEALTH Pay Period:	1,943.91
Grand Totals:		10				5,170.50

Check Number	Payee	Amount
03/17/2015		
112585	ACE HARDWARE	1,945.99
112586	ALPINE POWER SYSTEMS	1,750.00
112587	ALTEC INDUSTRIES INC	266.21
112588	AMERICAN WASTE INC.	179.34
112589	ARROW UNIFORM-TAYLOR L.L.C.	999.37
112590	AT YOUR SERVICE PLUS INC	176.50
112591	AT&T LONG DISTANCE	40.10
112592	AUTO VALUE	1,035.37
112593	AVFUEL CORPORATION	1,320.00
112594	B & L SOUND INC	410.90
112595	BENITEZ, SARAH	1.61
112596	BLARNEY CASTLE OIL CO	910.71
112597	BRADFORD'S	26.00
112598	BRIDGE STREET WINE & SPIRITS	46.79
112599	BULBS.COM	101.94
112600	CARDINAL CARPET CLEANING	279.50
112601	CARQUEST OF CHARLEVOIX	533.19
112602	CHAREST, JASON	16.53
112603	CHARLEVOIX COUNTY FIRE	100.00
112604	CHARLEVOIX COUNTY TREASURER	953.72
112605	CHARLEVOIX DISTRICT LIBRARY	243.00
112606	CHARLEVOIX SCREEN MASTERS INC	85.00
112607	CHARLEVOIX TOWNSHIP	15.45
112608	CHARTER COMMUNICATIONS	892.17
112609	CHEMICAL SYSTEMS INC.	1,872.00
112610	CINTAS CORPORATION	229.95
112611	CITY OF CHARLEVOIX - UTILITIES	34,606.87
112612	COLORADO CHALLENGE	4,000.00
112613	DOYLE, ANNIE	41.00
112614	DTE ENERGY	11,383.79
112615	EJ USA INC.	491.76
112616	EMERGENCY MEDICAL PRODUCTS I	115.25
112617	FAMILY FARM & HOME	430.23
112618	FASTENAL COMPANY	92.83
112619	FISHER SCIENTIFIC	795.82
112620	FOX CHARLEVOIX FORD	439.83
112621	GARAGE DOOR SERVICES INC.	332.60
112622	GBS INC.	609.53
112623	GINOP SALES INC	82.96
112624	GRAINGER	111.90
112625	GRAND TRAVERSE CANVAS WORKS	785.00
112626	GRAND TRAVERSE GARAGE DOOR	439.00
112627	GRP ENGINEERING INC.	532.45
112628	HACH COMPANY	5,411.59
112629	HAGGARD'S INC	80.00
112630	HERZOG ELECTRIC	54.00
112631	INDEPENDENT DRAFTING SERVICES	2,208.00
112632	J & B MEDICAL SUPPLY INC.	552.76

Check Number	Payee	Amount
112633	JACK DOHENY SUPPLIES INC	326.05
112634	JIM'S RADIATOR SHOP	25.00
112635	JOHN E. GREEN COMPANY	694.32
112636	JOHNSTONE SUPPLY #383	225.00
112637	JONES, AMANDA	14.85
112638	KEVIN'S METER TESTING	1,992.50
112639	KMart	102.60
112640	KNOX COMPANY	281.00
112641	KSS ENTERPRISES	108.60
112642	KUZEL, JESSE	45.00
112643	LAVOIE, RICHARD	14.00
112644	McGINN, KELLY	319.88
112645	MICHIGAN MUNICIPAL LEAGUE	30.50
112646	MICHIGAN OFFICEWAYS INC	1,961.15
112647	MYER, ELIZABETH A.	18.34
112648	NELSON, CONNIE	4.60
112649	NETSOURCE ONE INC.	1,260.00
112650	NORTHERN CREDIT BUREAU	287.30
112651	NORTHERN FIRE & SAFETY INC.	330.00
112652	NORTHERN MICHIGAN JANITORIAL	69.90
112653	NORTHERN MICHIGAN REVIEW INC.	1,710.95
112654	NORTHERN SAFETY CO INC	426.02
112655	NORTHWEST HYDRAULICS & ENGRG	426.82
112656	OLESON'S FOOD STORES	125.60
112657	OTEC	1,333.13
112658	POWER LINE SUPPLY	279.30
112659	PREIN & NEWHOF	53,334.49
112660	PRESTON FEATHER	248.40
112661	QUICK CARE MEDICAL CENTER	80.00
112662	REVITZER, THERESA	15.00
112663	RTI LABORATORIES INC.	274.00
112664	SHORELINE POWER SERVICES INC.	363.36
112665	SPARTAN STORES LLC	112.47
112666	STATE OF MICHIGAN	32.00
112667	STATE OF MICHIGAN	70.00
112668	STATE OF MICHIGAN	270.00
112669	STRYKER SALES CORPORATION	596.92
112670	SUPERIOR MECHANICAL	674.39
112671	SUPERNAW, BILL	141.45
112672	SWANSON K & D INC	127.50
112673	SYSTEMS SPECIALISTS INC	175.00
112674	TERMINAL SUPPLY CO	238.16
112675	THORP, WILLIAM	1.13
112676	TRAVERSE REPRODUCTION	510.45
112677	TRUCK & TRAILER SPECIALTIES	144.46
112678	UPPER CASE PRINTING INK.	1,094.24
112679	US BANK	93,197.50
112680	USA BLUE BOOK	188.74
112681	VILLAGE GRAPHICS INC.	91.59

Check Number	Payee	Amount
112682	WHITLEY, ANDREW	28.00
112683	WINDER POLICE EQUIPMENT	110.34
112684	WORK & PLAY SHOP	312.41
Total 03/17/2015:		242,872.92
Grand Totals:		242,872.92

Check Number	Payee	Amount
03/02/2015		
30215001	MICHIGAN PUBLIC POWER AGENCY	25,725.92
Total 03/02/2015:		25,725.92
Grand Totals:		25,725.92

Check Number	Payee	Amount
03/06/2015		
30615001	PAYMENT SERVICE NETWORK INC.	216.90
Total 03/06/2015:		216.90
Grand Totals:		216.90

Check Number	Payee	Amount
03/09/2015		
30915001	MICHIGAN PUBLIC POWER AGENCY	29,143.62
Total 03/09/2015:		29,143.62
Grand Totals:		29,143.62

Check Issue Date	Check Number	Payee	Amount
31315001			
03/13/2015	31315001	**EFTPS* Payroll Taxes	8,104.04
03/13/2015	31315001	**EFTPS* Payroll Taxes	8,104.04
03/13/2015	31315001	**EFTPS* Payroll Taxes	1,895.31
03/13/2015	31315001	**EFTPS* Payroll Taxes	1,895.31
03/13/2015	31315001	**EFTPS* Payroll Taxes	12,266.37
Total 31315001:			
	<u>5</u>		<u>32,265.07</u>
31315002			
03/13/2015	31315002	Alerus Financial	370.00
Total 31315002:			
	<u>1</u>		<u>370.00</u>
31315003			
03/13/2015	31315003	STATE OF MICHIGAN	4,535.46
Total 31315003:			
	<u>1</u>		<u>4,535.46</u>
31315004			
03/13/2015	31315004	Vantagepoint - 401 Plan 109153	742.62
Total 31315004:			
	<u>1</u>		<u>742.62</u>
31315005			
03/13/2015	31315005	Vantagepoint - 457 Plan 300959	5,627.85
03/13/2015	31315005	Vantagepoint - 457 Plan 300959	121.48
03/13/2015	31315005	Vantagepoint - 457 Plan 300959	1,706.95
03/13/2015	31315005	Vantagepoint - 457 Plan 300959	6,162.44
Total 31315005:			
	<u>4</u>		<u>13,618.72</u>
Grand Totals:			
	<u>12</u>		<u>51,531.87</u>

Check Number	Payee	Amount
03/17/2015		
2517	CHARLEVOIX COUNTY TREASURER	595.84
2518	CHARLEVOIX COUNTY TREASURER	270,830.08
2519	CHARLEVOIX COUNTY TREASURER	28.94
2520	CHARLEVOIX DISTRICT LIBRARY	99,893.00
2521	CHARLEVOIX PUBLIC SCHOOLS	16,082.89
2522	CHARLEVOIX PUBLIC SCHOOLS	2,350.80
2523	CHARLEVOIX PUBLIC SCHOOLS	173.13
2524	CHARLEVOIX PUBLIC SCHOOLS	1,082.54
2525	CITY OF CHARLEVOIX - TAXES DUE	75,380.86
2526	CITY OF CHARLEVOIX/DDA	4,372.06
2527	CORELOGIC	719.50
2528	DCL INC.	2,053.45
2529	OCHS, JOHN	236.74
2530	RECREATIONAL AUTHORITY	18,114.08
Total 03/17/2015:		491,913.91
Grand Totals:		491,913.91

CHECKS DRAWN ON CHARLEVOIX STATE BANK ACCOUNT

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Public Hearing on an Ordinance to amend Title V, Planning and Zoning. Multiple sections.

DATE: Monday, March 16, 2014

PRESENTED BY: Mike Spencer, City Planner

BACKGROUND INFORMATION:

As you are aware staff introduced the attached ordinance to City Council on March 2 and a public hearing was set for March 16. As of March 11 there have been no additional public comments received on these amendments.

At this point this is a Planning Commission recommendation. City Council may add to, delete, or modify any of these proposed amendments after the public hearing. As I mentioned at the past meeting ultimately these are policy decisions and I will administer/enforce any regulations that City Council chooses to adopt. I have included a detailed explanation of each change below.

Section 1. Change in the front yard setback in the R2A zone from 20 to 15 feet. This change we felt was necessary to be consistent with the R-1 and R-2 zones. The R2A zone is the designation for two-family which could be one dwelling unit on each floor of a building or a typical duplex. Typically the lot sizes are the same as in the R-1 and R-2 single family zones and in some cases they are right next to R-1 and R-2 so consistency is important. Also included in this section is a new column for minimum lot width of 16 feet for primary structures. This was in our old zoning ordinance and we would like to keep that standard since narrow structures do not fit well into traditional residential neighborhoods that have more consistent house widths. We also have minimum lot sizes, square footage requirements and maximum structure heights to create consistency among neighborhood design. Consistency among neighborhoods can improve property values.

Section 2. Change in the front yard setback in the R-4 zone from 25 to 15 feet. This zone could accommodate a number of different developments including apartment buildings, condos, townhomes, and clustered housing units. In a number of zones, including commercial, we substantially reduced front yard setback which could give the City the ability to require side or rear parking. If the City imposes a large front yard setback in a lot of cases the applicants will place parking lots in that space. This

reduction will promote greenspace and landscaping in the front which is often the most public side and encourage side or rear parking behind the building.

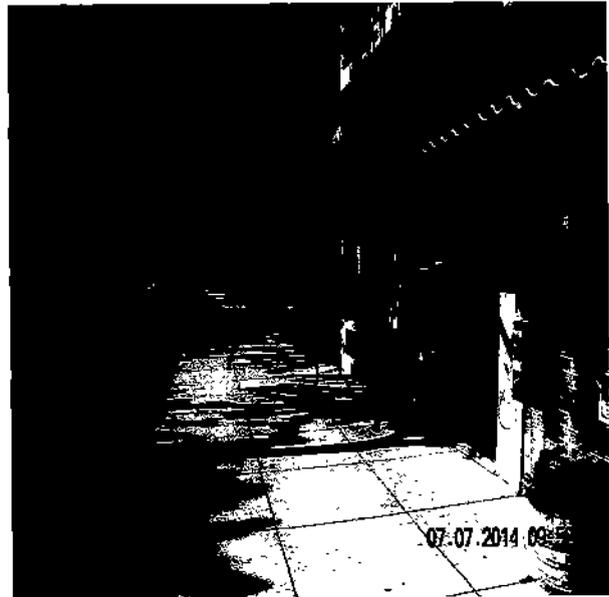
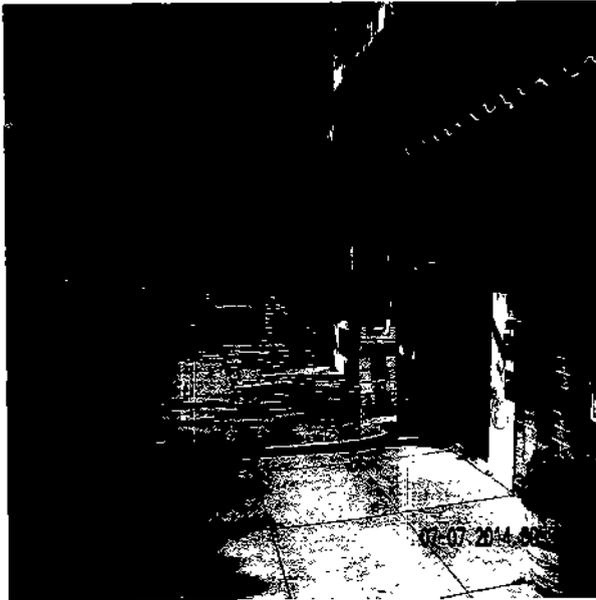
Section 3. Change in lot coverage requirements. Our old ordinance only counted lot coverage for buildings or structures. We changed that standard to include all impervious surfaces such as sidewalks and driveways. This was done to prevent excessive lot coverage with large amounts of hard space, encourage more greenspace, and help reduce storm water runoff problems especially to neighboring properties and runoff onto city streets. This also a good way to limit excessive home sizes which may be out of character with existing neighborhoods. We would like to change the language to allow for a higher percentage only if engineered surfaces were used that allow storm water filtration. This change will still require at least 40% of the lot open for greenspace and/or landscaping, mulch, pea gravel, etc. For example, if a home and all impervious surfaces were already at the 40% max coverage and they wanted to construct an addition they could have the option of replacing their concrete driveway with a different surface type that filters storm water and the addition would not be denied.

Section 4 . Amendments to the prohibition of outdoor displays and merchandise. Prior to adoption of the new zoning ordinance in 2013 we received a number of complaints regarding outdoor merchandise hanging on buildings and clothing racks outside of one particular store front. In response to these complaints staff provided some options for Council to choose from including prohibiting outdoor displays and merchandise, which is what was ultimately adopted. Some cities allow outdoor merchandise, others do not. At the time the City decided to prohibit the outdoor merchandise but did assure the merchants that we would take another look at this issue. The Planning Commission decided that no merchandise should be hung on the store fronts or building facades but if it was on their private property they should be allowed to have one rack or table not to exceed 8 feet in length and 5 feet in height. (A lot of clothing racks are 48" high).

Section 5. Amendments clarifying the exemption of portable storage bins or closets. We have had several questions and one complaint about storage bins and closets being located on decks, front porches, and other areas. A number of people use these in residential areas to store lawn furniture, garden tools, seat covers, etc. We wanted to clarify that they were allowed without a permit and not considered a structure. Please be aware that storage sheds, even if they are plastic, are still considered a structure and therefore require a permit. No other cities we looked at regulate these bins and closets.

Section 6. Changes to standards for portable signs. I have received a number of complaints about the plastic sandwich board signs with changeable lettering being used by numerous businesses. This appeared to have a snowball effect where one business

put one out and then a number of others followed suit. The consensus was that they were not a good representation for Charlevoix, especially in the downtown. We are aware that this is somewhat subjective but both the DDA and Planning Commission feel that we should allow and promote the use of dry erase and chalk boards rather than the plastic changeable lettering signs. We did some Photoshop images to show the different appearances with each sign type. The vast majority feel the image on the right is more appropriate for Charlevoix so the regulations would prohibit the changeable lettering signs. These regulations would apply city-wide not in just the downtown.



RECOMENDATION:

Motion to adopt Ordinance 2005-X as presented or amended if Council would like changes.



CITY OF CHARLEVOIX
210 STATE ST. CHARLEVOIX, MICH. 49720

CITY OF CHARLEVOIX

Ordinance No. ___ of 2015

AN ORDINANCE TO AMEND TITLE V, PLANNING AND ZONING, CHAPTER 51, ZONING.

MULTIPLE SECTIONS CITED HEREIN.

THE CITY OF CHARLEVOIX ORDAINS:

SECTION 1. Amendment to Table 5.227(2). Amending the front yard setback in the R-2A Zone from 20 to 15 feet.

Table 5.27(2) Dimensional Requirements: Single Family and Two Family Residential Districts

Zoning District	Max. Building Height (ft.)	Minimum Yard Setbacks (ft.)				Lot Coverage (%)	Min. Floor Area (sq. ft.)		Principal Structure Minimum Width (ft)
		Front	Side		Rear		1 story	2 stories	
			Interior	Street Side					
R1	26	15	10	15	25	40	1,040	1,600	16
R2	26	15	8	15	25	40	800	1,200	16
R2A	26	15	10	20	30	40	800	1,200	16
PC	26	0	See	0	0	0	0	0	16

SECTION 2. Amendment to Table 5.27(3) Dimensional Requirements: Multiple Family Dwellings in the R4 Zone. The minimum front yard setback requirement for buildings in R4 zones is amended to be 15 feet.

Table 5.27(3) Dimensional Requirements: Multiple Family Dwellings in the R4 Zone

Max. Building Height (ft.)	Yard Adjacent to:	Minimum Yard Setbacks (ft.)				Lot Coverage (%)	Min. Floor Area (sq. ft.), based on number of bedrooms			Distance Between Buildings
		Front	Side	Rear	1 bedroom/efficiency		2 bedrooms	3 bedrooms		
35	All districts	15	20	35	50	660	780	900	30	

SECTION 3. Amendment to lot coverage calculations.

5.72. Lot Coverage Requirements

Lot coverage requirements in all zones shall be calculated by dividing the total area of the lot by the total square footage of all impervious surfaces. Use of materials such as gravel or stone, pavers and similar permeable surfaces shall not count be calculated in lot coverage, however; the use permeable surfaces shall not exceed 60% of the lot area. (See *Figure 5.72*)

SECTION 4. Amendment to section 5.41(5) Outdoor Displays and Merchandise.

Section 5.41(5) is hereby amended to read in its entirety as follows:

- (5) Outdoor Displays and Merchandise. Merchandise or similar goods, and associated displays shall not be permitted on the exterior walls or facades of buildings or entryways; however each business shall be permitted one table, clothing rack, or similar feature to display merchandise not to exceed 8 feet in length and 5 feet in height.

SECTION 5. Amendment to Section 5.79 adding portable storage bins, closets or sheds to the list of items considered landscaping features.

Section 5.79 is hereby amended to read in its entirety as follows:

5.79. Landscaping Features and Portable Storage Bins

Landscaping features including, but not limited to, arbors, gates, pergolas, trellises, latticework, permanent benches/seating, or portable storage closets or bins are not considered structures and are therefore not subject to the requirements of this ordinance regarding structures.

SECTION 6. Amendment of Section 5.106 Standards for Portable Signs.

Section 5.106 is hereby amended to read in its entirety as follows:

5.106. Standards for Portable Signs

Portable Signs:

- (1) Shall be not more than forty-eight (48) inches in height and thirty (30) inches in width, and cannot exceed six (6) square feet in sign face area;
- (2) Shall be located on private property;
- (3) Shall not block pedestrian access;

- (4) Shall be constructed of durable materials and be clearly portable in terms of size, weight and placement; and
- (5) Shall only be displayed between the hours of 7:00 a.m. and 12:00 a.m.
- (6) Shall use chalkboards or whiteboards for their signage area.
- (7) Shall not utilize changeable lettering for their messaging.

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Presentation Regarding State Street Project and Lake to Lake Multi-Use Trail

DATE: March 16, 2015

PRESENTED BY: Jim Malewitz, Project Engineer

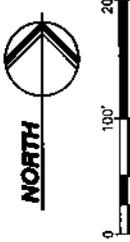
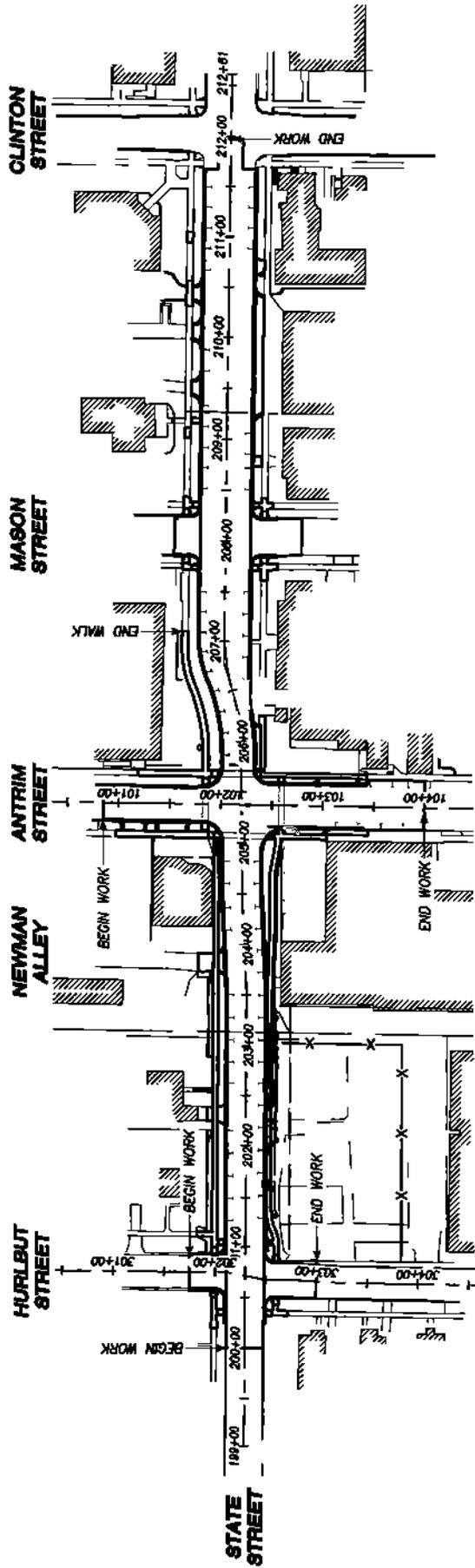
ATTACHMENTS:

1. State Street Phase 1 Overview
2. Lake to Lake Multi-Use Trail Overview

BACKGROUND INFORMATION: To keep the Mayor and City Council informed about two upcoming infrastructure projects, we have invited Jim Malewitz, project engineer, to give a quick presentation regarding both the State Street Improvement Project and the Lake to Lake Multi-Use Trail. Both projects are slated to begin this spring as soon as weather permits.

Similar to past years, Staff and project engineers will be making a presentation to interested property owners that may be temporarily impacted by these two large capital projects. The meeting will be held March 18 at City Hall starting at 5:00pm.

RECOMMENDATION: No formal motions are needed. Questions regarding either infrastructure project are encouraged.



Know what's below.
Call before you dig.

GENERAL NOTES

THE DESIGN IS BASED ON THE 2004 AASHTO GUIDE FOR GEOMETRIC DESIGN OF HIGHWAYS AND STREETS, AND THE 2001 GUIDELINES FOR GEOMETRIC DESIGN OF VERY LOW-VOLUME LOCAL ROADS.
EXCEPT WHERE OTHERWISE INDICATED ON THESE PLANS, OR IN THE PROPOSAL AND SUPPLEMENTAL SPECIFICATIONS CONTAINED HEREIN, ALL MATERIALS AND WORKMANSHIP SHALL BE ACCORDING TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION 2012 EDITION.

THE CITY OF
Charlevoix
IN COOPERATION WITH
MICHIGAN DEPARTMENT OF TRANSPORTATION
AND THE FEDERAL HIGHWAY ADMINISTRATION
2014 INFRASTRUCTURE IMPROVEMENTS
STATE STREET PHASE I

FEDERAL PROJECT NUMBER: STP 1415 (008) CONTROL SECTION: STL 15029
FEDERAL ITEM NUMBER: RR 8831 JOB NUMBER: 123403A

PROJECT: 14-1453 DATE: 10-15-15 DRAWN: D. COOK DESIGNED: C. STEIN	2014 INFRASTRUCTURE IMPROVEMENTS STATE STREET PHASE I		THE CITY OF Charlevoix	DESIGNER Performance Engineers, Inc. 408 PETERSKY AVE. CHARLEVOIX, MI 49720 (231) 547-2121
	ANTRIM STREET STA 100+85 TO STA 104+00	CONT. SEC. STL 15029		
	STATE STREET STA 200+20 TO STA 211+98	JOB NO. 123403A		
100	MASON STREET STA 401+50 TO STA 402+75			

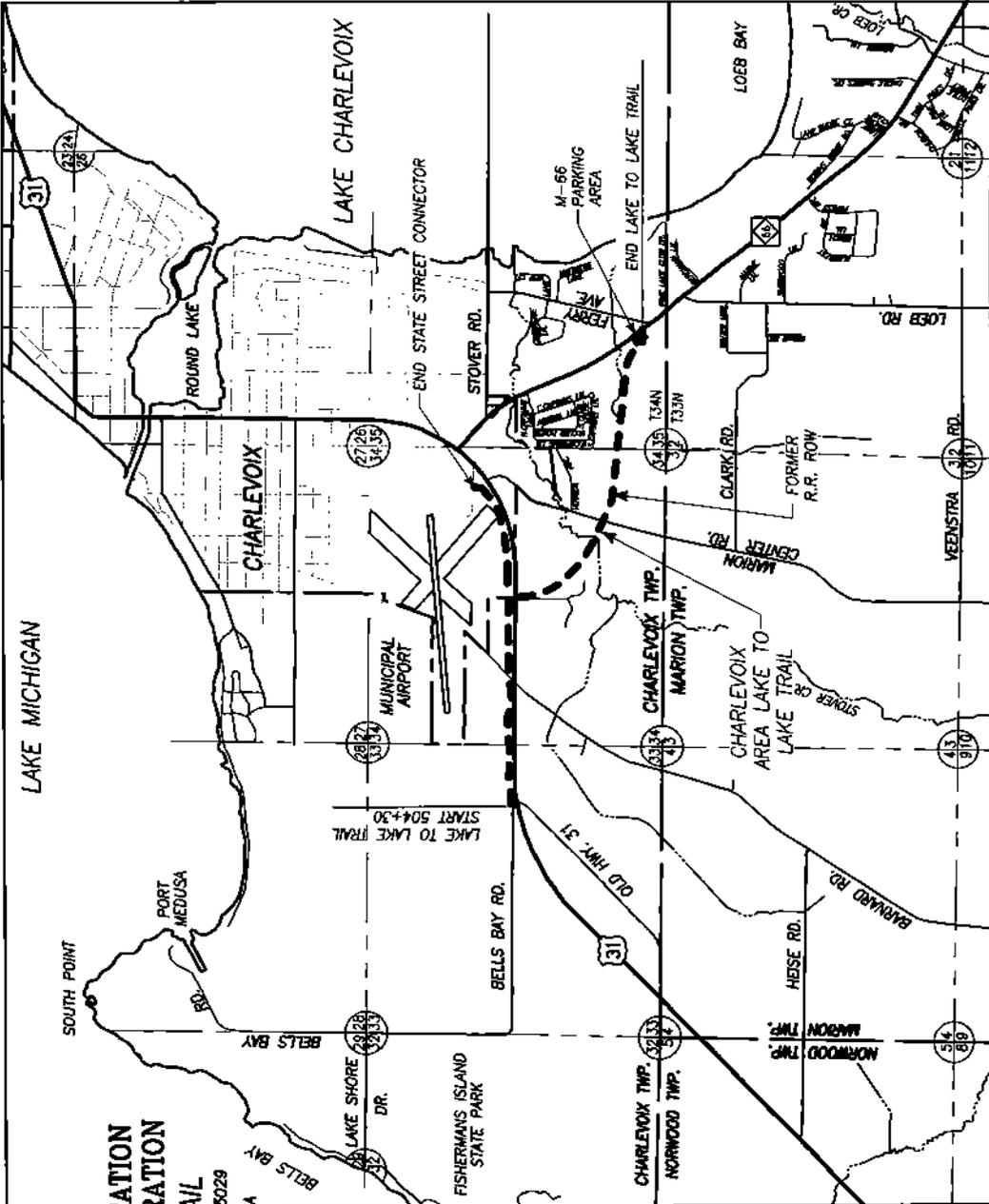
**CITY OF CHARLEVOIX &
CHARLEVOIX TOWNSHIP**

IN COOPERATION WITH

**MICHIGAN DEPARTMENT OF TRANSPORTATION
AND THE FEDERAL HIGHWAY ADMINISTRATION
CHARLEVOIX AREA LAKE TO LAKE TRAIL**

FEDERAL PROJECT NUMBER: TAP 1415(005) CONTROL SECTION: TAL 15029
FEDERAL ITEM NUMBER: HH 9444 JOB NUMBER: 1166234

US-31/M-66
CITY OF CHARLEVOIX
CHARLEVOIX TOWNSHIP
CHARLEVOIX COUNTY



**Know what's below.
Call before you dig.**

GENERAL NOTES

THIS DESIGN IS BASED ON AASHTO GUIDE FOR THE DEVELOPMENT OF BI-CYCLE FACILITIES, 2012 4TH EDITION, AND THE 2011 MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
EXCEPT WHERE OTHERWISE INDICATED ON THESE PLANS, OR IN THE PROPOSAL AND SUPPLEMENTAL SPECIFICATIONS CONTAINED HEREON, ALL MATERIALS AND WORKMANSHIP SHALL BE ACCORDING TO THE AASHTO DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION 2012 EDITION.

PROJECT:	11-2005
DATE:	1-10-15
DRAWN:	D. COOK
DESIGNED:	C. STERN

**CHARLEVOIX AREA
LAKE TO LAKE TRAIL**

100

CONT. SEC.
TAL 15029

JOB NO.
1166234

THE CITY OF
Charlevoix
CHARLEVOIX
TOWNSHIP



DESIGNER
Performance Engineers, Inc.
408 POTOSKEY AVE.
CHARLEVOIX, MI 49720
(231) 547-2121

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Consideration to accept new hangar lease format revision-Existing hangar

DATE: March 16, 2015

PRESENTED BY: Liz Myer, Airport Manager

ATTACHMENTS: Charlevoix Municipal Airport lease format

BACKGROUND INFORMATION:

The hangar lease draft was submitted and tabled at the March 2, 2015 City Council session.

The attached lease draft reflects the following changes:

- 1) Page one now specifies that the one (1) month's deposit is for a new tenant, not for an existing tenant
- 2) Item 6 City employees- item was removed since the aircraft are not in the care, custody or control of the airport employees
- 3) Item 13- changed from township inspector to county inspector
- 4) Item 19- in regard to insurance was removed, future rent rates will cover fixed costs
- 5) Item 21 late fee charge- the late fee charge is now 5%
- 6) Item 11-flying clubs will provide member list in month of January
- 7) Item 6 was added
- 8) Item 16-hangar repairs, now specifies interior cables and motor

RECOMMENDATION:

I would advise the council to make a motion to approve the new lease format in order to expedite the renewal of all the leases on April 1, 2015.

**CHARLEVOIX MUNICIPAL AIRPORT
STANDARD T-HANGAR LEASE
EXISTING HANGAR**

T-HANGAR NO. _____

Lease made this _____ day of _____, between the City of Charlevoix Michigan, hereinafter called the city, and _____

Address is: _____

Here in after called the LESSEE.

WITNESSETH:

Two month's rent will apply to new on field tenants, namely \$ _____ be paid upon the execution and delivery of this lease, of which \$ _____ shall apply upon the first month's rent of the term hereby granted; and the payment of \$ _____ shall be retained by the city as a guaranty fund to be applied upon the rent of the last month of said term.

In further consideration of the payment of \$ _____ per month, payable on the first of each day of the month, the airport agrees to let, on a month to month basis, the above designated T-hangar, for aircraft storage, subject to the conditions and covenants herein contained.

This Lease is a month to month lease, however, tenancy may not exceed beyond _____ years.

Lessee agrees to carry insurance on their aircraft with a company authorized to do business in the State of Michigan and to show proof and provide a copy of aircraft insurance to the city upon signing of this Lease.

Lessee covenants with the city as follows, to –wit:

- 1. To notify in writing, within ten days, of any change in the information furnished herein.**

- 2. Lessee shall not sublet or furnish to any other person any office space, hangar, T-hangar, storage space, field storage privilege, aircraft maintenance or inspection, or any right or privilege whatsoever in or on airport property without the written consent of the airport manager. A violation of this provision shall immediately terminate this lease and the Lessor shall have immediate possession of the premises upon given written notice to the Lessee.**

- 3. The lessee agrees to accept all facilities on the leased premises on an “as is basis” further, Lessee assumes full responsibility to furnish any equipment necessary to properly secure his aircraft.**

- 4. Lessee further covenant and agrees that he will not hold the city or any of its agents, employees, responsible for any loss occasioned by fire, theft, rain, windstorm, hail, or from any other cause whatsoever, whether said cause be the direct, indirect or merely a contributing factor in producing the loss to any airplane, automobile, personal property, parts or surplus that may be located or stored in the hangars, T-hangars, offices, aprons, field, or any other location at the airport; and Lessee agrees that the plane(s), and its contents are to be store whether on the field or in the hangar at Lessee's risk. Lessee shall be responsible for all damages to property caused by Lessee's carelessness, negligence or neglect. Lessee shall park his automobile, or his guest's automobile, in the hangar when using his aircraft, so as not to interfere with taxiing of other aircraft or general Airport maintenance. The airport manager shall have the right to take all steps necessary to enforce the above provisions. Lessee agrees to surrender the premises at the end of the term in as good order as they now are, reasonable wear and tear and the act of God alone excluded.**
- 5. Lessee agrees to indemnify, defend and save Airport, its agents, officers, representatives, and employees harmless from and against all liability or loss resulting from claims or court action arising directly or indirectly out of the acts of Lessee, his (its agents, servants, guests or business visitors under this agreement or by reason of any act or omission of such person.**
- 6. The Lessee shall comply with all airport ordinance's, airport regulations and the hangar lease policy as those items currently exist or as they may be amended in the future. A violation of any of the terms of these items shall be considered a breach of this lease.**

- 7. That in the event of any misrepresentation or default of the aforementioned representatives by Lessee, the airport shall have the right to impound all airplanes and to padlock all offices, shops, bays, and T-hangars of Lessee that are located in the north hangar bay area.**

- 8. The Lessee hereby grants to the City a lien upon all fixtures, chattels and personal property of every kind and description now or hereafter to be placed, installed or stored by Lessee, at the airport; and agrees that in the event of any failure on the part of the Lessee to comply with each and every one of the covenants and obligations hereof, or in the event of any default continuing for sixty days of any specified rent, Airport may take possession of and sell the same in any manner provided by law and may credit the net proceeds upon any indebtedness due or damage sustained by airport, without prejudice to further claims thereafter to arise under the terms hereof.**

- 9. The City or Lessee shall have the right to terminate this agreement at any time with or without cause by service by certified mail, at least ten days prior to the date of termination, a written Notice to the other party at his last known address, and upon the City refunding to the Lessee a pro rata amount of the storage charges heretofore provided for the unexpired portion of the month following the date of such termination: and upon such termination the Lessee shall immediately remove said airplane(s) from the Airport.**

- 10. The City shall have the right to enter said premises at any time for inspection or to make repairs, additions or alterations as may be necessary for the safety, improvement or preservation of the leased premises. If the lessee changes the lock on the hangar door, Lessee shall furnish the Airport Manager with a key for maintenance purposes.**

- 11. Flying club lessees do further agree to provide the Airport with an up-to-date list of the names of all members of said club, in the month of January of each year in which they operate at the Charlevoix Municipal Airport.**
- 12. Lessee hereby acknowledges receipt of a copy of this agreement and agrees to abide by all Federal, State, City and Airport rules and regulations, present and future, as amended.**
- 13. Any electric wiring installed in the hangars by the Lessee, must first be approved by the Airport Manager, and shall be done according to the State electrical code, by a licensed contractor, first obtaining a permit and an inspection by the county inspector. All modifications to the hangar structure or doors must have prior written approval by the airport manager. Any violation will void this lease at the option of the airport manager.**
- 14. In case the said premises are destroyed or damaged by fire, tornado or other causes, not the fault of the Lessee, so as to render the same untenable, no rent shall accrue from the date of such destruction until the same are again ready for occupancy.**
- 15. Lessee shall take good care of the property and its fixtures and suffer no waste of the premises.**
- 16. The Lessor agrees to make whatever repairs may be reasonably necessary on the exterior and to cables and motors on the interior of said leased premises.**

- 17. It is further agreed that if the Lessee shall neglect or fail to pay the payments promptly as specified in this agreement in the excess of (30) days or fail to comply with any of the conditions and covenants of this agreement for a period in excess of 30 days, then this agreement shall become void and the rights of the Lessee terminated hereunder and the said Lessee shall be a tenant at will and subject to eviction by legal process, in accordance with the statutes of the State of Michigan.**

- 18. This lease shall be subordinate to the provision of any existing or future agreement between the Lessor and the United States relative to the operation or maintenance of the Airport, the execution of which has been or may be required as a condition precedent to the expenditure of Federal funds for the development of the Airport.**

- 19. The Lessee shall be responsible for all snow removal within three (3) feet from the hangar and for removing such other obstructions as may hinder access to or from the hangar. The City shall plow all common areas and taxiways. The City shall be responsible for the cutting of all vegetation.**

- 20. Rent is payable, in advance, on the first of the month. A late fee of 5% shall be added to rental charges not received by the last business day of each month.**

WITNESS

City Official
TITLE

WITNESS

SIGNATURE OF LESSEE

AMOUNT RECEIVED _____ **RECEIVED BY** _____

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Consideration to Approve Island Airways Terminal Lease Renewal

DATE: March 16, 2015

PRESENTED BY: Liz Myer, Airport Manager

ATTACHMENTS: Terminal Lease Draft and Terminal Office Chart

BACKGROUND INFORMATION:

Island Airways currently leases the airport terminal office area for \$1.00/year plus half (1/2) of the utilities for the terminal building, the existing lease expires April 1, 2015. Island Airways had a four (4) year agreement at this rate and the Airport Advisory Committee voted to approve the renewal of the lease "AS IS" at the existing rate.

Island Airways passengers generate a large revenue source for the airport in parking fees and in lieu of the market value for the office area lease, consideration is made for this fact by only charging \$1.00 per year on the terminal office areas.

Island Airways is requesting additional parking area for their employees, the airport is able to issue employee parking passes for the additional requested parking spots in the general parking area once the employee lot reaches capacity.

RECOMMENDATION:

I would recommend that City Council approve the Island Airways Terminal Lease draft as written.

TERMINAL BUILDING OFFICE AREA LEASE

THIS LEASE is entered into this April , 2015, between the City of Charlevoix, a Michigan municipal corporation, whose address is 210 State Street, Charlevoix, Michigan 49720 ("Lessor") and McPhillips' Flying Service, Inc. a Michigan corporation d/b/a Island Airways, whose address for its registered office is 111 Airport Drive, Charlevoix, Michigan 49720 ("Lessee").

In consideration of the mutual covenants and promises contained herein, the parties agree as follows:

1. DESCRIPTION

Lessor hereby leases to Lessee the following described property located at the Charlevoix Municipal Airport, 111 Airport Drive, Charlevoix, Michigan 49720:

- A. That portion of the existing terminal building as shown in Exhibit 1 and regarding which Lessee will have exclusive possession, subject to reasonable access by Lessor for inspection, maintenance, repair or improvements; and
- B. Those common areas as shown in Exhibit 1 and regarding which Lessee shall have shared access; provided, however, such access shall be in conjunction with Lessor and such other persons or entities as Lessor shall determine.

2. USE OF PROPERTY

The leased property shall be used by Lessee, for the purpose of operating and managing its air charter operations and for no other purpose.

3. POSSESSION

Lessor shall deliver possession of the leased property to Lessee on April , 2015. At the expiration of this Lease, or any renewal thereof, Lessee shall remove its goods and effects and deliver possession of the leased property to the Lessor in as good as condition as when delivered to Lessee, reasonable wear and tear excluded.

4. TERM OF LEASE

The term of this Lease shall start on April , 2015 and shall continue for four (4) years from the date hereof subject to early termination as provided below.

5. RENT

Lessee shall pay Lessor rent of ONE DOLLAR per year with all rent payable in advance upon the execution of this Lease.

6. FURNISHINGS/PERSONAL PROPERTY

All personal property to be used by Lessee in the terminal building shall be provided by Lessee at Lessee's sole expense and its installation or placement shall be with the prior written consent of Lessor, which consent shall not be unreasonably withheld.

7. REPAIR AND MAINTENANCE

Lessor shall at its sole expense repair and maintain that portion of the terminal building to which it has sole possession in as good condition as it is on the date that possession is given to Lessee, reasonable wear and tear excepted.

8. NO IMPROVEMENTS

Lessee may not make an improvement to the leased premises without the prior written consent of Lessor. Such consent shall be subject to Lessor's sole discretion and may be withheld with or without cause.

9. UTILITIES

Lessee shall reimburse Lessor for 50% all utilities. Such payment shall be made to Lessor within 15 days of being invoiced by Lessor for the utilities. Lessee shall pay all telephone or internet services and charges incurred by Lessee and shall see that those payments are made before any liens attach to the premises for nonpayment. As used in this provision, "utilities" shall mean trash collection, gas, electric, water and sewer services.

10. SNOW REMOVAL

Lessor shall be responsible to keep the entrance of the terminal building used for ingress and egress to the leased property and the leased parking area free from unreasonable accumulations of ice and snow.

11. PARKING

Lessee shall require all of its regular employees to park in the Charlevoix Municipal Airport parking lot at such locations as designated by Lessor and to obtain such parking permits as Lessor shall specify by ordinance or otherwise. Lessee agrees not to promote, encourage or otherwise to inform its customers about off-site parking. Parking for employees of Lessee shall be allowed as follows: (a) Lessor will authorize 10 parking spaces in the airport parking lot at locations specified by Lessor; (b) employees of Lessee may use empty spaces in the airport parking lot at such locations as shall be authorized by Lessor in its sole discretion and (c) if the airport parking lot is full or is reasonably anticipated by Lessor to be full or if empty parking spaces are needed by Lessor for other purposes, then the employees of Lessee, in excess of those who are using one of the 10 spaces described above, may use empty spaces in the "overflow" airport parking area at such locations as shall be authorized by Lessor in its sole discretion. As used in this provision, "employees of Lessee" shall mean those employees of Lessee who work at least 30 hours per week for Lessee for not less than 12 weeks per year and who have registered with the airport manager the description and license plate number of the employee's vehicle that will be parked on airport property. Neither Lessee nor its employees may authorize anyone to park at any location on the airport except with a parking permit and pursuant to ordinances of Lessor that regulate the airport. Lessee and its employees may not store personal vehicles on airport property. Only one vehicle per employee may be parked on airport property at a time. There will be no charges for the employees of Lessee to park at the airport when the parking takes place as authorized by this provision.

12. INDEMNIFICATION

Each party shall indemnify and hold harmless the other party, its public officials, officers, board members, successors, assigns, agents, servants, employees and insurance companies from any damages, legal fees or expenses, awards, demands, rights, causes of action, including but not limited to, causes of action for contribution, indemnification, or recovery of any liens of any kind or nature, losses, claims and

actions which may, do, or shall arise out of or grow out of that party's duties and obligations contained in this Lease. This provision shall apply to any and all claims by either party, its public officials, officers, board members, agents, servants, employees, successors or assigns or to any and all claims by any third party.

13. INSURANCE

Lessee shall obtain and maintain liability insurance for its operations at the airport, including any aspect of its business that takes place in the terminal building with liability limits for damages relating to any one person or for damages relating to any one occurrence no less than are currently in effect. Any liability insurance of Lessee shall name Lessor as additional insured and shall contain a provision that the policy cannot be terminated, canceled, or substantially altered without thirty (30) days prior written notice to the Lessor. Lessee may obtain and maintain casualty insurance on its personal property used in conjunction with the terminal building. Upon request of Lessor, Lessee shall provide to Lessor written notice of the current insurance liability limits prior to the execution of this Lease and for all insurance policies that are in effect during the term of this Lease.

14. FIRE OR CASUALTY LOSS

It is agreed that if the leased property is damaged or destroyed in whole or in part by fire or other cause during the term of this Lease, the Lessor shall repair and restore the same to a good, tenantable condition with reasonable dispatch, unless Lessee and Lessor mutually agree in writing not to repair and restore the property damaged or destroyed.

15. WASTE AND NUISANCE

Lessee shall not commit, or suffer to be committed, any waste on the leased property. In addition, Lessee shall not maintain, commit, or permit the maintenance or commission of any common law nuisance on the leased property or violate any State, Federal or local law or ordinance in its use of the leased premises.

16. NOTICES

Notices under this Lease shall not be deemed valid unless given or served in writing and forwarded by mail, postage prepaid, and addressed as follows:

Lessor:

Charlevoix City Manager's Office
210 State Street
Charlevoix, Michigan 49720

Lessee:

Island Airways
111 Airport Drive
Charlevoix, Michigan 49720

17. DEFAULT

A default shall be deemed to have occurred if Lessee breaches any provision of this Lease and such breach continues for fifteen (15) days after receipt by Lessee of a written notice of the breach. If any default as specified herein occurs, Lessor shall have the right to re-enter the premises and regain possession or to take such other action as permitted by law.

18. MISCELLANEOUS

- A. Lessee shall abide by and comply with the following as they may currently exist or are modified in the future: polices for the use of common areas in the terminal building and on airport property; the Minimum Standards related to the airport; and the timely filing each year with the FAA and Lessor of all documents related to the scheduled or unscheduled enplanement of passengers or which are otherwise described in Section 2.195 of the Charlevoix Municipal Airport.

- B. The property covered by this Lease shall not be used for any unlawful purpose.
- C. In its operations at the airport, including its activities associated with this Lease, Lessee shall abide by all federal, state and local laws, ordinances, regulations as well as all federal or state grant requirements or grant assurances made by Lessor in connection with any grant related to the airport.
- D. Lessee may erect business-related signs in the terminal building only upon the consent of Lessor and such consent shall not be unreasonably withheld.
- E. Lessee agrees that if the interest created by this Lease shall be taken in execution or by other process of law or if the Lessee shall dissolve, become bankrupt or insolvent, according to law, or any receivership be appointed for the business or property of the Lessee, then this Lease may be canceled at the option of the Lessor.
- F. This Lease shall be binding upon the successors and assigns of the parties.
- G. If any provisions of this Lease shall be declared invalid or unenforceable, the remainder of the Lease shall continue in full force and effect.
- H. This Lease contains the entire agreement between the parties and any subsequent agreement made hereafter shall be ineffective to change, modify or discharge this Lease, either in whole or in part, unless such an agreement is in writing and signed by the party against whom enforcement of the change, modification or discharge is sought.
- I. This Lease shall be construed under and in accordance with the laws of the State of Michigan.

- J. No waiver by the parties hereto of any default or breach of any term, condition, or covenant of this Lease shall be deemed to be a waiver of any other breach of the same or any other term, condition, or covenant contained herein.

- K. There is a "baggage make-up" area (also called a "freight room") located between the terminal building and a hangar. Pursuant to a Hangar Lease and Hangar Lease Amendment with Lessor, Lessee leases the baggage make-up area and the hangar. Lessor's representatives and employees shall have the right to use entrances to the baggage make-up area to access the terminal building.

IN WITNESS WHEREOF, the parties hereto have executed this Lease to be effective the day and year first above written.

CITY OF CHARLEVOIX

By: _____
Its: Mayor

By: _____
Its: Clerk

MCPHILLIPS' FLYING SERVICE, INC.
d/b/a Island Airways

By: _____
Its: President

By: _____
Its: Secretary

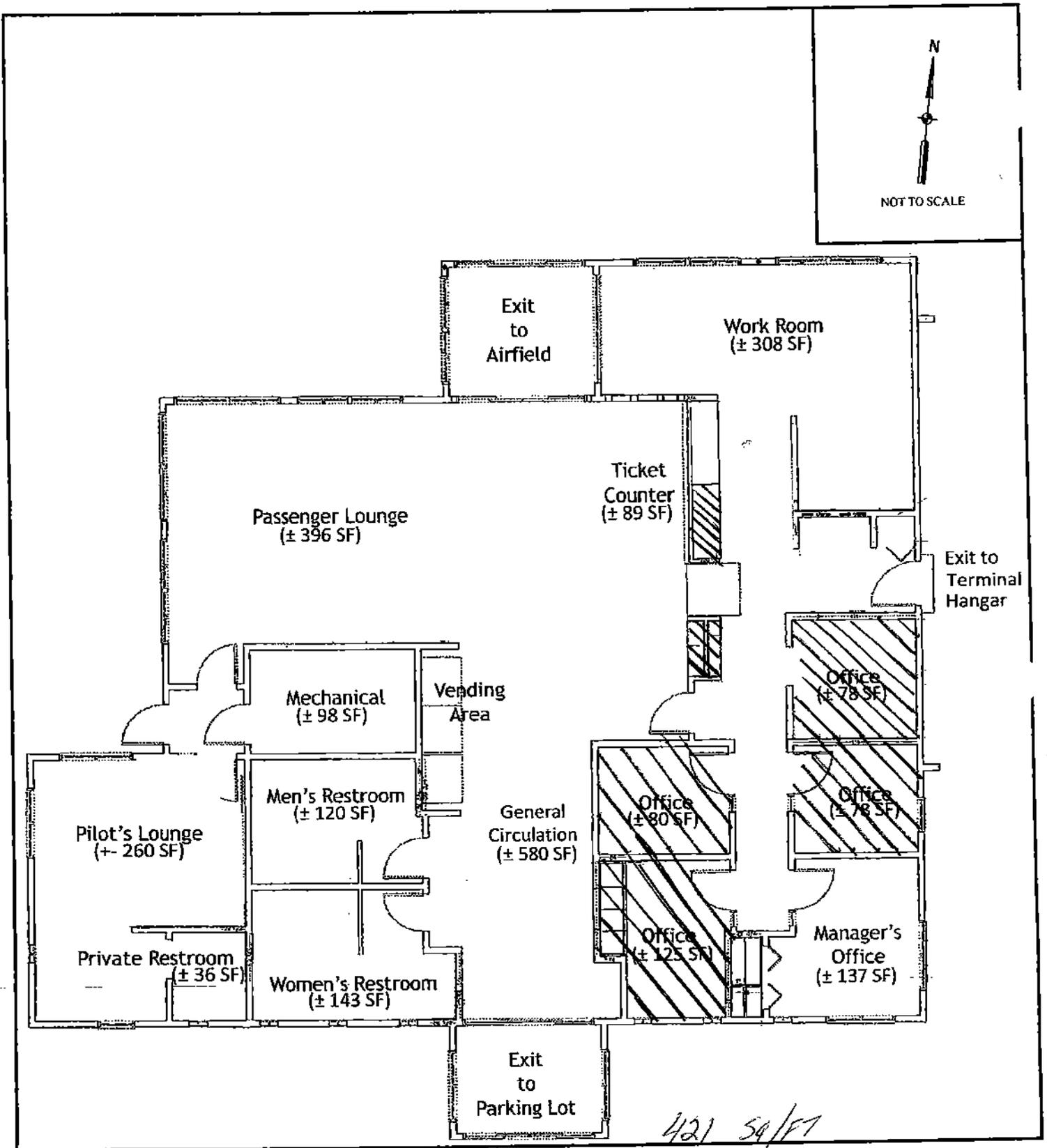


FIGURE 2-7

TERMINAL LAYOUT

EXHIBIT 1

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Consideration to approve additional expenditure from the Motor Pool

DATE: March 16, 2015

PRESENTED BY: Patrick Elliott

ATTACHMENTS: None

BACKGROUND INFORMATION: At the July 7, 2014 Council meeting, Council authorized the expenditure of up to \$35,000.00 to purchase a used mini excavator. Since that approval staff has been working with suppliers to find a machine that fits our needs. Unfortunately we have not been able to find a machine that is in good working condition for the approved amount of money. We have found a machine that is one size larger, is in good working condition, but is \$7,000.00 more than the approved amount. As stated above, the machine we have located is one size larger than we originally budgeted for, but this machine also has advantages over the smaller unit. For example the overall digging depth is two feet deeper; with this extra reach it also allows us to load our dump trucks while digging vs. stockpiling and then loading the material with a separate machine. This machine is also capable of lifting over 2000 lbs. more than the smaller unit. If this machine were purchased new, it would cost around \$85,000.00. The total price for the used unit is \$42,000.00.

Due to the extreme cold again this year, and all of the frozen water lines we are encountering, this machine will be extremely useful in the excavation and repair of the broken lines we will be dealing with in the near future.

The money to pay for this machine will come out of the motor pool budget. Even with this extra expenditure I am confident that we will still be on budget or slightly lower than the overall, approved budget from Council.

RECOMMENDATION: It is my recommendation that Council approves the additional expenditure of \$7,000.00, for a total price of \$42,000.00, and authorizes staff to purchase the John Deere 60D mini excavator from Klooster Machinery.

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Mayoral Appointments
DATE: March 16, 2015
PRESENTED BY: Stephanie Brown, Deputy City Clerk
ATTACHMENTS:

BACKGROUND INFORMATION:

The following list includes vacancies on the DDA and Planning Commission as of April 2015. Both the DDA and Planning Commission members are appointed by the Mayor.

	Seat	Term	Appointment	Term Expires
DDA	Member John Yaroch	4 years	Mayor	04/2019
DDA	Vice Chair Hugh Mason	4 years	Mayor	04/2019
Planning Commission	Member Keith Sherwood	3 years	Mayor	04/2018
Planning Commission	Member David Novotny	3 years	Mayor	04/2018
Planning Commission	Member Judy Clock	3 years	Mayor	04/2018

RECOMMENDATION:

Motion to appoint/re-appoint *name1 and name2* to the DDA, terms expiring April 2019.

Motion to appoint/re-appoint *name1, name2 and name3* to the Planning Commission, terms expiring April 2018.